



CITY COUNCIL AGENDA REPORT

MEETING DATE: December 6, 2005

ITEM NUMBER:

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS01-00069 FOR STREET IMPROVEMENTS LOCATED AT 3300 HYLAND AVENUE, COSTA MESA, CALIFORNIA

DATE: NOVEMBER 17, 2005

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, (714) 754-5343

RECOMMENDED ACTION:

Release the Performance and Labor and Material Bonds (Certificate No. 8084888) in the amount of \$190,855.80 each to R.J. & J. Construction, Inc. (Contractor), 2001 Mt. Vernon, Pomona, CA 91768.

BACKGROUND:

On February 16, 2001, the Engineering Division issued Encroachment Permit No. PS01-00069 to R.J. & J. Construction, Inc. (Contractor) for the construction of street improvements within South Coast Drive between Harbor Boulevard and Hyland Avenue. The Encroachment Permit allowed the placement of an electrical conduit from 3300 Hyland Avenue to an Edison vault on Harbor Boulevard, south of South Coast Drive. Street improvements included mill and overlay on Harbor Boulevard; slurry seal on South Coast Drive; and striping on Harbor Boulevard and South Coast Drive. The Performance and Labor and Material Bonds in the amount of \$190,855.80 each were received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS:

All conditions of the Encroachment Permit have been met and the work has been completed and accepted by the Public Services Department.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be to retain the Performance and Labor and Material Bonds. Costa Mesa Municipal Code Section 15-32 states, "The condition of said bond shall be that the applicant will perform the work authorized by any permit issued pursuant to this chapter in a good and workmanlike manner and to the satisfaction of the City Engineer." These conditions have been met; therefore, retention of the bonds would be in violation of the Municipal Code.

FISCAL REVIEW:

There is no fiscal impact to the City relative to this item.

LEGAL REVIEW:

There is no legal review required relative to this item.

CONCLUSION:

All of the required conditions of the Encroachment Permit have been completed by the Contractor. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amount of \$190,855.80 each be released to R.J. & J. Construction, Inc.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

DISTRIBUTION: City Manager
 City Attorney
 Deputy City Clerk
 Staff

File Name Release Bonds PS01-00069

Date: 11-17-05

Time 3:30 p.m.